

FILED  
Clerk  
District Court

JAN - 6 2006

For The Northern Mariana Islands  
By \_\_\_\_\_  
(Deputy Clerk)

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Attorneys for Defendant  
JLH PACIFIC TRUST

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NORTHERN MARIANA ISLANDS**

PATTI C. BALLONE, *et al.*,  
Plaintiffs,  
v.  
BERT MONTGOMERY, *et al.*,  
Defendants.


**CIVIL ACTION NO. CV 03-0013**

DAVID H. SCHMIDT, *et al.*,  
Plaintiffs,  
v.  
BERT DOUGLAS MONTGOMERY, *et al.*  
Defendants,  
v.  
UNITED FOREX INVESTORS, *et al.*,  
Third-Party  
Defendants.

**PROOF OF PUBLICATION OF  
SERVICE OF PROCESS UPON  
THIRD-PARTY DEFENDANTS  
JOSE CABRERA AND  
MERCEDES CABRERA**

1 Comes now, JLH PACIFIC TRUST, by and through its attorneys, Brien Sers  
2 Nicholas, Attorney At Law, and Glenn K. Sato, Attorney At Law, for submission of Proof of  
3 Publication of Service of Process upon Third-Party Defendants Jose Cabrera and Mercedes Cabrera  
4 attached hereto.

5 Dated this 6<sup>th</sup> day of January, 2006, on Saipan, CNMI.

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9 **BRIEN SERS NICHOLAS (F0163)**  
10 **GLENN K. SATO (2176-0)**

11 Attorneys for JLH PACIFIC TRUST  
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# Santa Monica Daily Press

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## Proof of Publication

(2015.5 C.C.P.)

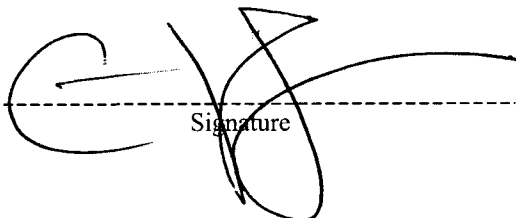
### STATE OF CALIFORNIA COUNTY OF LOS ANGELES

I am a citizen of the United States, over the age of eighteen years, and not a party to or interested in the above entitled matter. I am the representative of the printer and the publisher of the Santa Monica Daily Press, a daily newspaper printed and published in the English language in the County of Los Angeles and adjudged a newspaper of general circulation as defined by the laws of the State of California by the Superior Court of the County of Los Angeles, State of California, under the date of March 17, 2004, Case No.BS087128. That the notice, of which the annexed is a printed copy, has been published in each regular and entire issue of said newspaper and not in any supplement thereof on the following dates, to-wit:

11/30/2005, 12/07/2005, 12/14/2005

Executed on this 19<sup>th</sup> day of December, 2005 at Santa Monica, California.

I certify (or declare) under penalty of perjury that the foregoing is true and correct.

X   
Signature

### Proof of Publication of

#### IN THE UNITED STATES DISTRICT COURT FOR THE NORTHERN MARIANA ISLANDS SUMMONS

TO: JOSE CABRERA and MERCEDES  
CABRERA

Pursuant to a March 23, 2004 Order Setting Status Conference, Mediation and Settlement Conference, and Allowing Service by Publication, YOU ARE HEREBY NOTIFIED THAT Defendant JLH PACIFIC TRUST has filed a First Amended Counterclaim, Crossclaim and Third-Party Complaint in Civil Case No. CV 03-0013 for determination of your right, title and interest to certain interplead funds together with such other relief as the Court deems just.

YOU ARE HEREBY SUMMONED and required to serve upon JLH PACIFIC TRUST'S Attorney:

BRIEN SERS NICHOLAS  
1st Floor, UIU Building  
San Jose Village  
Saipan, MP 96950

an answer to the First Amended Counterclaim, Crossclaim and Third-Party Complaint within twenty (20) days after the date of this published notice. If you fail to do so, judgment by default will be taken against you for the relief demanded in the First Amended Counterclaim, Crossclaim and Third-Party Complaint. You must also file your answer with the Clerk of this Court within a reasonable period of time after service. Publication of Summons ordered by Judge Alex R. Munson pursuant to Order Setting Status Conference, Mediation and Settlement Conference, and Allowing Service by Publication date March 23, 2004.

Santa Monica Daily Press to publish 11/30/2005, 12/07/2005, 12/14/2005